



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DKK/ICR/FJN
F. #2021R00059

*271 Cadman Plaza East
Brooklyn, New York 11201*

October 28, 2021

By ECF

Honorable Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Brendan Hunt
Criminal Docket No. 21-86 (PKC)

Dear Judge Chen:

The government writes to request a short adjournment of the briefing schedule and sentencing date in this matter to provide the government sufficient time to review and respond to the defendant's objections to the presentence investigation report ("PSR"), filed four days before the parties' sentencing submissions are due. Specifically, the government requests that the Court adjourn the filing deadline for the parties sentencing memoranda to December 6, the parties' sentencing responses to December 17, with the sentencing itself rescheduled to the week of January 3, 2022. The defendant opposes any adjournment of the sentencing date.

At the defendant's request, on August 20, 2021, the Court ordered that objections to the PSR be filed by September 24, 2021. On September 25, 2021, the defendant filed PSR objections relating only to certain "legal" objections to the calculation of the defendant's Guidelines sentencing range. The defendant's letter objecting to the PSR's Guidelines calculation requested "the Court's permission to file [the defendant's] factual objections on Tuesday, September 28, 2021." (ECF No. 121 at 14). Today, October 28, 2021, over a month past the deadline set by the Court and days before the parties' sentencing memoranda are due to be filed on November 1, 2021, the defendant filed under seal 40 pages of factual objections to the PSR that, according to the defendant, "do[] not purport to include references to all materials relevant at sentencing" (ECF No. 122 at 1). The defendant also filed an additional 86 pages of the "defendant's papers," although the defendant does not explain whether those papers are relevant to his PSR objections.

The sentencing schedule ordered by the Court directed that all PSR objections be filed on September 24, sentencing memoranda on November 1, responses to the sentencing

memoranda by November 12, with the sentencing scheduled for November 22. This schedule afforded the government time to respond to the defendant's PSR objections in its sentencing memoranda. The defendant's belated filing of his lengthy and detailed "factual" PSR objections has left the government with just a few days to review and respond to them under the current schedule. Accordingly, the government respectfully requests that the Court extend the deadlines for the parties' sentencing memoranda to December 6, the parties' responses to the sentencing memoranda to December 17, with the sentencing itself rescheduled to the week of January 3, 2022.

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/ Ian C. Richardson
David K. Kessler
Ian C. Richardson
Francisco J. Navarro
Assistant U.S. Attorneys
(718) 254-7000

cc: Clerk of the Court (PKC) (by ECF)
Defense counsel (by ECF)